



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Shellharbour Local Environmental Plan 2013 (Amendment No 15)

Your ref: Ryan McPherson-Fehn 14/13696
Our ref: FHG e2016-201.d07

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, appearing to read 'D Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel
22 November 2016



New South Wales

Shellharbour Local Environmental Plan 2013 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

Minister for Planning

LINDA DAVIS

ACTING DIRECTOR REGIONS
SOUTHERN REGION

**Delegate of the
Minister for Planning**

2/12/16

Shellharbour Local Environmental Plan 2013 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Shellharbour Local Environmental Plan 2013 (Amendment No 15)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land at 120 Yellow Rock Road, Tullimbar, being Lot 2, DP 1191252, which, immediately before the commencement of this Plan, was deferred matter under *Shellharbour Local Environmental Plan 2013*.

4 Maps

The maps adopted by *Shellharbour Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Shellharbour Local Environmental Plan 2013

[1] Clause 6.14

Insert after clause 6.13:

6.14 Development of land at 120 Yellow Rock Road, Tullimbar

- (1) This clause applies to land partly in Zone R2 Low Density Residential, Zone R5 Large Lot Residential and Zone E3 Environmental Management at 120 Yellow Rock Road, Tullimbar, being Lot 2, DP 1191252, identified as “6.14” on the Local Clauses Map.
- (2) Despite clause 4.1, development consent may be granted to subdivide the land to which this clause applies to create:
 - (a) 1 or more lots, each lot comprising land wholly in Zone R2 Low Density Residential or Zone R5 Large Lot Residential that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and
 - (b) up to 5 lots, each lot comprising:
 - (i) land in Zone E3 Environmental Management, and
 - (ii) land in either Zone R2 Low Density Residential or Zone R5 Large Lot Residential that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.

[2] Dictionary

Insert in alphabetical order:

Local Clauses Map means the Shellharbour Local Environmental Plan 2013 Local Clauses Map.

Environmental Planning and Assessment Act 1979

**Shellharbour Local Environmental Plan 2013
(Amendment No. 15)**

Shellharbour City Council
Locked Bag 155
SHELLHARBOUR CITY CENTRE NSW 2529

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identifier
Land Zoning Map LZN_010	6900_COM_LZN_010_010_20140613
Lot Size Map LSZ_010	6900_COM_LSZ_010_010_20140813
Floor Space Ratio Map FSR_010	6900_COM_FSR_010_010_20140613
Height of Buildings Map HOB_010	6900_COM_HOB_010_010_20140613
Terrestrial Biodiversity Map BIO_010	6900_COM_BIO_010_010_20130114
Land Application Map LAP_010	6900_COM_LAP_001_080_20150820

The following map sheets are adopted:

Map Sheet	Map Identifier
Land Zoning Map LZN_010	6900_COM_LZN_010_010_20160704
Lot Size Map LSZ_010	6900_COM_LSZ_010_010_20160704
Floor Space Ratio Map FSR_010	6900_COM_FSR_010_010_20160704

Height of Buildings Map
HOB_010

6900_COM_HOB_010_010_20160704

Terrestrial Biodiversity Map
BIO_010

6900_COM_BIO_010_010_20160704

Land Application Map
LAP_010

6900_COM_LAP_001_080_20160704

Local Clauses Map
LOC-010

6900_COM_LOC_010_010_20161116

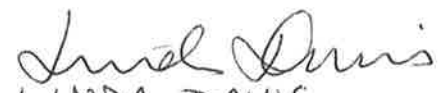
Certified



Cheryl Lappin
Acting Group Manager
City Strategy
Shellharbour City Council

16/11/16.

Date


LINDA DAVIS
ACTING DIRECTOR REGIONS
SOUTHERN REGION
Delegate of the
Minister for Planning



Mr Carey McIntyre
General Manager
Shellharbour City Council
Locked Bag 155
Shellharbour City Centre NSW 2529

Dear Mr McIntyre

**Shellharbour Local Environmental Plan 2013 (Amendment No 15) –
120 Yellow Rock Road Tullimbar (PP_2014_SHELL_004)**

I refer to Council's submission under the *Environmental Planning and Assessment Act 1979* (the Act), requesting the Minister make Shellharbour Local Environmental Plan 2013 (Amendment No 15).

This amendment will introduce standard instrument zones and controls for Lot 2 DP 1191252 (120) Yellow Rock Road Tullimbar.

I am pleased to advise that as the Minister's delegate, I have made the Local Environmental Plan under section 59(2) of the *Environmental Planning and Assessment Act 1979* (the Act), and under section 34(5) it will take effect when published on the NSW Legislation website.

Should you have any questions regarding this matter, I have arranged for Louise Myler, of the Department's Southern Regional Office to assist you. Louise may be contacted on telephone number (02) 4224 9463.

Yours sincerely

2/12/16

**Linda Davis
Acting Director Regions
Southern
Planning Services**